

CANADIAN MOVING PICTURE DIGEST

RAY LEWIS
Editor and Publisher

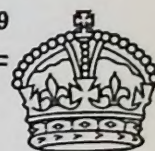
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May 6th, 1939



His Majesty, King George VI.

Canadians are looking forward to the Royal Visit of Their Majesties, King George VI and Queen Elizabeth, who sail for Canada on the Canadian liner, Empress of Australia, May 6.

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259 SPADINA AVENUE, TORONTO 2

N.B. Will Honor Louis B. Mayer

CONFERRING HONORARY DOCTOR OF LAWS DEGREE

Saint John, N.B. — Three columns in a local newspaper gave a description of the career of Louis B. Mayer, Vice-President in charge of production at Metro-Goldwyn-Mayer, and upon whom the University of New Brunswick at Fredericton will confer an honorary degree (L.L.D.) in May.

Chancellor Dr. J. C. Jones made this announcement recently, stating that Mr. Mayer will arrive at Fredericton in time for the Encaenia. Mr. Justice Fairweather will deliver the address to the graduating class, and an honorary degree will also be conferred upon Miss Mary K. Tibbetts, a New Brunswick woman who obtained her degree of B.A., fifty years ago.

Mr. Mayer was instrumental in having the Province filmed in the Fitzpatrick Travelogue last year, and has always shown the deepest interest in the city of Saint John, to which he came as a very small child and where he attended school. His fellow citizens are very proud of the career he has carved out for himself, and gratified at the affection he has always maintained for Saint John and the Province of New Brunswick.

Accompanying Mr. Mayer will be his secretary, Howard Strickling. They will be guests at the U.N.B. Students' reception May 17th, and the Alumni dinner on the evening of the 17th. May 18th will be the Convocation when the degrees will be conferred.

Plans are on foot to hold a function at Saint John in honor of Mr. Mayer, and it is hoped that he may stay long enough in New Brunswick to indulge in some fishing, for which this Province is so justly famous.

110 CASES PENDING

Montreal has 110 cases pending in connection with the admission of children under sixteen to theatres. A test case is holding up court action. The case in particular is that of Joe Brown, theatre employee charged with admitting a child under sixteen to a theatre. Mr. Brown has moved to a higher court for a prohibition order preventing the charge from being heard, because the Attorney-General had not given his permission for the charge as made.

N.S. EXHIBITORS MEET

Halifax, N.S. — A meeting of the Nova Scotia Exhibitors Association was held at Halifax, N.S., on Tuesday, with several of the General Managers from Toronto present to discuss the amendments to the Theatres and Cinematographs Act of Nova Scotia which have been passed by the N.S. Legislature but not, as yet, proclaimed by Order-in-Council.

EXHIBS PRAISE PROSPECTUS

Regina, Sask. — Joe Huber, western division manager of 20th Century-Fox, who has been in the business so long he thought he knew all the angles, confessed in a brief interview in Regina that he had found a new one. He said that on the road from Regina to Winnipeg, four small town exhibitors actually went out of their way to express appreciation for the frank, unballyhooed prospectus his company issued this spring. He added it was the first time in his life that such a thing had happened.

APPEAL 16mm. CASE

Regina, Sask. — The recent district court case in which General Films, Regina, was awarded \$100.00 and costs from Joseph and Harold McElroy, transient exhibitors, has been appealed and is slated for the appeal court some time during the week starting May 8. The outcome of this appeal is being closely watched in the West, as it is likely to establish a new basis between 16 mm. exhibitors and distributors.

F. G. SPENCERS BACK

Saint John, N.B. — Mr. and Mrs. F. G. Spencer accompanied by Mrs. Gilmore Armstrong of Saint John have spent a delightful winter in Florida and have returned to their homes in Saint John.

U.A. MANAGER LEAVES

Saint John, N.B. — Charles Chaplin, Manager at Saint John of the United Artists Corporation Exchange, has left for Los Angeles to attend the U.A. Convention at that city. During his trip Mr. Chaplin will go to San Francisco, where he will have a day at the San Francisco World's Fair. Mrs. Chaplin is accompanying her husband as far as Toronto, where she will visit friends.

STUDY N.S. LEGISLATION

Lawyers are busily engaged in Canada studying the proposed new Nova Scotia legislation, which certain film interests in Canada claim is "undue discrimination". Meanwhile exchange representatives have been advised to hold off the signing of contracts for the new season's product, until it has been decided whether the Maritime offices will be closed and distribution for the Maritimes arranged through the Montreal office.

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TORONTO MONTREAL

MAY FEATURE RELEASE DATES

RKO RADIO

"Sorority House"May 5
"Panama Lady"May 12
"Racketeers of the Range".....May 19
"The Dove"May 26

20th CENTURY-FOX

"Chasing Danger"May 5
"Rose of Washington Square" May 12
"Boy Friend"May 19
"The Gorilla"May 26

METRO-GOLDWYN-MAYER

"Calling Dr. Kildare"May 5
"Tell No Tales"May 12
"It's A Wonderful World"....May 19
"Bridal Suite"May 26

W-B FIRST NATIONAL

"Confessions of a Nazi Spy".....May 6
"Sweepstakes Winner"May 20
"Code of the Secret Service".....May 27

WARNER BROTHERS

"Torchy Runs For Mayor"....May 13

COLUMBIA

"Outside These Walls"May 4
"Blind Alley"May 11
"Spoilers of the Range".....May 11
"Law Comes to Texas"May 17
"Missing Daughters"May 22
"Only Angels Have Wings"....May 25

UNITED ARTISTS

"Captain Fury"May 26

Harry Allen, Grand National, Books "Beethoven" Into Royal Alexandra, Toronto, As Road Show

"The Pylon" Your Guide To Good Entertainment



Just One Happy Film Family

Ray Presents

FOR the first time in donkey's years I had lunch at the film table at Child's, and believe me it looked like "a little child shall lead them", the film crowd were so anxious to see that I got a good lunch, especially the exchange managers. What is it they say about fattening the goose for the killing? September is not Thanksgiving, nor Christmas, but it is the month in which I become an exhibitor, and in which I start paying for film.

But that is the story I was saving for you, to deliver in its full appointed time, with pictures and EVERYTHING. Incidentally, the theatre on College St., which I am building is to be called "The Pylon", and not The Empire as reported. It gets its name from a glass pylon 33-feet high, which will be a tower of light. The pylon is a modern introduction which came into usage with planes. The pylons are signal towers for planes in flight, and the Pylon Theatre will be "Your Guide to Good Entertainment".

I should have told you about the theatre earlier, but was saving the news for a big splash. You can see it doesn't pay to save these days, for anything is likely to happen, war, peace and prosperity. At all events, never save news even if it is about yourself, for as a general rule, your contemporaries know more about your plans than you know about them yourself.

TWENTY-FIVE years is a long time to be in the movie business, hobnobbing with exhibitors before getting the desire to be one. But, since life begins at 40, why not be an exhibitor?

That is only one of the reasons, another one is "Jay L". After being the editor and publisher of the Canadian Moving Picture Digest for close to a quarter of a century, I am transplanting theatre knowledge by observation, into theatre experience as an exhibitor.

So here's to the new generation of exhibitors, the young old ones and our offspring, the latter who will inherit our film enterprise. There are ever so many of them in Canada. There is Col. Cooper's son, in the M.P.P.D.A. The Allens' sons, and there are film sons-in-law. There is Phil Reisman's son; we name Phil with the Canadians because he was here with us for so many

years. There is Harry Allen's son, N. L. Nathanson's son, Clair Hague's daughter and his son, Leo Devaney's son, not overlooking all our cousins and other junior relations. All interested in Film peace and security.

IF you took a survey of the Independent theatres in Canada, you would find sons and daughters, and even Mamas helping to keep Papa independent. At Child's table where there was a discussion, most of it "dated", the conversation travelled from Toronto to Ottawa, through Quebec and to Nova Scotia. It was all film talk, and Johnny Cohn dished out a laugh a minute.

There was Charles Fremes, sober as an owl, and Arthur Cohen, always the life of the party. There was Morris Milligan looking younger than ever. It is the first time I had a talk with him without telling him he should be married. There was Jack Hunter, good-natured as ever, Haskell Masters, now at the U.A. convention at Los Angeles. He gave us 'Wuthering' glances when we discussed any picture's box-office record but "Wuthering Heights".

"Confessions of a Nazi Spy", Warner's antidote for Nazi poison came into much discussion. It was unanimously agreed, that it was a great picture. There was Harry Allen, Sam Glazer, Gordon Lightstone and Jim O'Loughlin, with Big Bill Deering. "Jay L." paid for my lunch. Was I surprised to find that for once, the woman did not have to pay!

TORONTO is the city of rumours, one of them, not the latest, is that Mr. Nathanson is my partner in the Pylon Theatre. The proof conclusive for this deduction is that Mr. Nathanson has not been personally addressed for some weeks in The Digest editorial comment.

What these Sherlock Holmes fail to comprehend is that The Digest does not attack Mr. Nathanson, nor anyone else in this Industry for the purpose of making a deal, by using the power of the pen, as others do, to secure a personal advantage.

(Continued on Page 6)

**National Film Board Bill Passes Canadian Senate - - 8 Members Proposed For Committee
- - No Film Representatives Included**

The Canadian Moving Picture Digest

RAY LEWIS - - - Editor and Publisher

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AMERICA TAKES LESSON FROM THE DICTATORS

THE Democracies have discovered their strength in Screen presentation, having observed to what use the Dictatorship countries have put their Screens.

To counteract the poisonous propaganda which has been pouring into our Democracies through the use of the screen, radio, etc., etc., we in Great Britain and in the United States have at last risen to the occasion, and that is to use the screen, our most powerful story-telling medium to present the case for the Democracies, and to expose the truth concerning Dictatorship control.

Leading in this magnificent work is Warner Bros., whose picture, "Confessions of a Nazi Spy" combines all the essentials of drama, but tells a story based on truth and not on fiction, a story once seen will never be forgotten. Conceding that the purpose of the screen is to furnish Entertainment, to cater to people of many and diverse politics, religions and opinions, there is a common ground upon which all people who believe in Democracy can meet. That common ground is the belief in the right of man to worship his God according to the dictates of his own heart and soul, and the traditions of his own religion; to live as a free human being, and to retain the power to vote into a Government such representatives as he deems capable of fulfilling the offices of Government.

If an automobile can be commanded to convey men or supplies in a time of War Danger, if men can be conscripted into military service, it is the business of the Screen to partially command itself to enter a voluntary service by devoting a percentage of what it offers, to the service of its country. Incidentally the Screen reflects public taste, the public taste today is for international politics and information which may contain such interest.

—EDITOR.



"JAY L"

**Yours
T
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DEAR Ray Lewis:

Things were rather quiet around Toronto this week, with Wolfe Cohen and Leo Devaney off to the Maritimes on the N.S. Legislation business, and Haskell Masters leaving for the U.A. convention in Los Angeles. Incidentally, did you notice that Mike Wilkes, U.A. demon promotion manager here, got stories in both the evening papers on the departure of Haskell, Sammy Glazer, Toronto Branch Manager, Charles Chaplin, the Saint John Manager, and A. J. Jeffrey, the Montreal Manager. Next thing you know, their comings and goings will be listed in the Society columns.

Your good friend, Mrs. Bennett at the Toronto office of RKO Radio, did a swell exploitation job in getting the support of Imperial Order of Daughters of the Empire for "Sixty Glorious Years", which RKO is releasing in Canada co-incident with the visit of the King and Queen. Mrs. Bennett screened the picture for Edith B. Angas, National Film Convenor of the Order, and the latter has written to all chapter heads across Canada, asking that they co-operate with theatres during the picture's engagements. In addition, the Royal edition of "Echoes", the I.O.D.E.'s official publication, is carrying a review of the film along with several stills.

Howard Knevels, once manager of the Imperial, Toronto, and now managing the Imperial, Montreal, was assaulted and robbed in his own office recently by two thugs. Howard had just returned to his office after collecting the money, estimated at \$1,200, from the box-office, when two men forced their way into the office and demanded the money. When he hesitated, they jumped on him, and escaped with the money, after striking Howard in the face.

Several out-of-town exhibitors were here this week arranging future bookings. Among those we noticed were Mr. and Mrs. H. J. Sutherland, of the Lyric, St. Mary's and points east; Frank and A. M. Giaschi of Huntsville and Bracebridge; L. H. Vicary, Princess, Orillia; Frank Borneman, Muskoka, Gravenhurst; Jack Allen

BRITISH TAX FILMS IN NEW WAR BUDGET

London, Eng. — British and American Films now know that there might be a War and money must be provided to oil its sinews. The Chancellor of the Exchequer, Sir John Simon, presented to Parliament a record budget of \$6,500,000,000 which means new taxes on sugar, income, automobiles, tobacco and films.

The film trade viewed the increased film taxation with much concern, intimating that it would mean increased film rentals. The American film trade will be taxed in a ratio of about \$8.00 to \$1.00 for British. It is estimated that the new film taxes will cost the American Film Industry approximately \$2,000,000, and the British trade about \$260,000.

Sir John Simon did not stress War expenditures as the reason for the increased film taxation as those in the film trade contend, but stated that the taxes were added because of certain concessions which had been made in the new budget to theatres and to medicine by way of taxation.

"FOUR FEATHERS" RECORD BREAKER

London, Eng.—The box-office receipts for the first week of "Four Feathers" at the Odeon Theatre here have broken every record in the history of the house, with a daily gross exceeding \$5,000. With lines of patrons waiting all day long, many have been continually turned away at the box-office.

A MASON YACHT

Saint John, N.B.—A. J. Mason of the Capitol Theatre, Springhill, N.S., was in Saint John recently negotiating for the purchase of a cruiser cabin yacht to replace one wrecked last Fall off the Nova Scotia coast.

from Thorold, and A. E. Rolston, Princess, Little Current.

Al McKeag, booker at the Warner Toronto Office, is being married a week to-day, the 13th, and the other night the boys at the office gave him a stag party to end all stag parties. It was a wow!

And so long until next week.

Yours truly,

"Jay L."

"Stagecoach" and Soviet "Nevsky" Directorial Classics - - "Society Lawyer" Okay Remake

★ ★ ★

"STAGECOACH"

WANGER - U. A.

JOHN FORD and Dudley Nichols, the director-writer team that won the Academy Award a few years back with "The Informer", are reunited by Walter Wanger in a monumental effort that may well repeat the success of the McLaglen film.

With a principal cast of nine persons, plus dozens of extras, and a story by Ernest Haycox, ace Western writer, Ford has produced a picture that builds up suspense reel by reel with continual touches of comedy which relieve the strain, to a climax that will leave you breathless. The musical score, adapted from over a dozen American folk songs and arranged by Richard Hageman, is one of the best scores we have heard.

In the stagecoach bound for Lordsburg, Arizona, are nine persons, seven passengers, the driver and the U.S. Marshall 'riding shotgun'. Passengers include two women, Claire Trevor, a 'shady lady', run out of town by the reform element, and Louise Platt, wife of an army officer, and an expectant mother. The men are John Wayne, an escaped outlaw, out to avenge the murders of his father and brother; Thomas Mitchell, doctor and chronic drunk; Donald Meek, Bible-quoting whisky drummer; John Carradine, gambler and gallant gentleman; and finally, Berton Churchill, pseudo respectable banker, absconding with \$50,000. George Bancroft is the Marshall, and Andy Devine the driver.

The route of the stagecoach is through Indian territory, where the Apaches, led by Geronimo, famed chief, are on the warpath. After a series of incidents, including the birth of Louise Platt's baby, and the blossoming of romance between Wayne and Claire Trevor, the coach is ambushed by the Apaches, but after a running fight, the like of which has seldom been seen on the screen since the days of "The Iron Horse", the coach reaches its destination.

Photographically, the picture is magnificent, and with all the principals doing justice to their roles, plus the superlative direction and score, the result is A-1 entertainment in any man's land.

Running time—95 minutes.

★ ★ ★

"ALEXANDER NEVSKY"

COSMOPOLITAN

SERGEI EISENSTEIN, Soviet Russia's greatest motion picture producer, and producer-director of the famed "Potemkin", and "Ten Days That Shook The World", presents in "Alexander Nevsky" his greatest screen triumph, and a battle film in many ways equal to Hollywood's best.

Taking as his theme, the almost legendary Russian hero, Alexander Nevsky, Prince of Novgorod's historic defeat of the army of the Teutonic Order of Knights in the year 1242. Eisenstein once more demonstrates his uncanny skill at handling vast mobs of extras, and large casts of principals.

Story tells of the invasion of Eastern Europe by the Germans in the year 1241. Sweeping all before them, the Teutons have taken all of Russia but the city-state of Novgorod. The townspeople of Novgorod call upon Alexander Nevsky to lead them. On the frozen surface of Lake Peipus the famous "Battle on the Ice" takes place. Nevsky's forces defeat the heavily armored Germans, and the latter flee across the lake, many falling through the ice due to the weight of their armour. Nevsky himself defeats the leader of the Teutons in hand-to-hand combat.

There are several secondary themes, including a romance between the daughter of a governor and one of Nevsky's lieutenants, and another romance between a second of Nevsky's aides, and one of the noble ladies of Novgorod.

It is rather pointless for me to give you the names of the cast, as the majority of them will be unrecognizable to you anyway. Two names you may recognize, however, are Nikolai Cherkassov, who portrays Alexander Nevsky, and D. N. Orlov, who plays one of the leading character roles.

Sharing honors with Eisenstein's direction is the musical score by Sergei Prokofieff, one of the world's greatest living composers.

For theatres where foreign language films draw, this picture is likely to break box-office records. The theme of a Russian defeat of a German invasion also makes it a box-office attraction in houses not previously adapted to foreign film presentations.

Produced by Mosfilms. Distributed in Canada by Cosmopolitan.

★ ★

"SOCIETY LAWYER"

METRO-GOLDWYN-MAYER

THIS is a remake of the highly successful "Penthouse", which Metro produced in 1933, co-starring William Powell and Myrna Loy, with 'Woody' Van Dyke directing. Current issue features Walter Pidgeon and Virginia Bruce, with Edwin L. Marin behind the megaphone.

Film closely follows the original Arthur Somers Roche story which appeared first in Cosmopolitan Magazine. It is a sophisticated murder-mystery theme, with just the necessary amount of comedy relief and romance.

Walter Pidgeon is a blue-blood lawyer, who successfully defends gangster chief Leo Carrillo on a murder charge. Carrillo swears undying friendship and gratitude. Lee Bowman, socialite, and engaged to Pidgeon's former fiancée, Frances Mercer, is charged with the murder of Ann Morriss, his ex show-girl sweetheart. Pidgeon, believing him innocent takes the case. He is threatened by gangster leader Eduardo Ciannelli, once the dead girl's sweetie. However, Pidgeon, with the help of Virginia Bruce, night-club singer, and Carrillo, carries his investigation through to a successful conclusion, pinning the murder on Paul Guilfoyle, one of Ciannelli's men, but Carrillo is slain in the resultant battle.

Pidgeon handles his role with great dexterity, and Virginia Bruce, although her part has been written down considerably, is pleasing to the eye as well as the other senses. Leo Carrillo does a good job of the sympathetic gangster, but it does not come up to Nat Pendleton's grand performance in the same role in "Penthouse". Of the others, the late Herbert Mundin contributes some hearty laughs as Pidgeon's houseman; Ed Brophy and Tom Kennedy are properly dumb as two of Carrillo's gorillas; Eduardo Ciannelli is positively loathsome as the villain; Frances Mercer and Ann Morris are rather wasted in two minor roles, ditto Paul Guilfoyle, but Lee Bowman does well with his part.

Marin's direction is satisfactory in every respect, keeping the production on a fairly even keel.

Lacking any big names, "Society Lawyer" is destined for double-feature bookings, but once you get the patrons in, they'll find no cause for complaint.

Running time—77 minutes.

Digest Battles Policies Not Individuals

(Continued from Page 3)

Mr. Nathanson's business tactics and policies, and not Mr. Nathanson as an individual, have been the subject of editorial comment in *The Digest* on many occasions. *The Digest* deplors his participation in the matter of the leasing of Mrs. O. McMaster's theatres, his failure to keep his company to a promised agreement, verbally given and also recorded in a signed and witnessed statement. The Editor of *The Digest* has no personal axe to grind, although as Editor of *The Digest* and its publisher, she has had to fight for 25 years to keep her paper in publication, for no other reason than the fact that she could not be a "yessir vassal"; for she clearly saw that a day of reckoning was inevitable if the trade practices in operation in our Dominion, and forced on the producer-distributors and exhibitors continued.

WHILE there might have been huge profits derived from the operation of questionable practices, she saw that the irritations which they set up would eventually get into motion and inspire legislation taking the Film Industry out of the happy position of being in control of its own enterprise.

I have repeatedly stated that the temper of the people of today was reflected by its legislators, and was crystallizing itself into legislation. That reforms should be introduced, that monopoly was an antiquated pastime. Those in power, like Mr. Nathanson, may have thought that my remarks were radical, that they were revolutionary. They may now, in reviewing present events governing legislation in Canada, realize that I was expressing the tempo of the time and seeing, without the prejudice of profits, where profiteering might lead.

The fact that *The Digest* is not continually harping on Mr. Nathanson, or the 16 mm. situation as this latter involves Sovereign, or Sterling Films, or on Dictators, is no indication that I have entered into a partnership arrangement with any of these. Aside from this angle, no

exhibitor, or exhibitor organization is paying me to represent their interests; I am in the fullest sense of that word, Independent, an Independent, and free to make any arrangement, which I desire, concerning my own business.

THE editor of the so-called Independent exhibitors' paper here at Toronto, can relax from the strain of watching what affiliations I form, or pictures which I may secure for my theatre which will not be opened until September. She may deduct, conclude, imagine, cogitate, become introspective, retrospective, on the subject of my proposed theatre product. I am giving her plenty of words, since words are such a necessary adjunct for the sniffing propensities of her pen. She can rave about a "coup", and have a lovely time, but I would remind the exhibitors who are financing the "great discoverer", to save their shots for their enemies, they can do with good friends.

Come up and see me sometime, boys, it won't cost a cent. You can keep your theatres. I don't want a percentage on your daily newspaper advertising, nor for booking your pictures; I don't want to build your new theatre, nor do I want you to pay my printer's bills, I just want to give you free information — an interesting bit is that the United States Government is proceeding to investigate the Independent Interests which precipitated the investigation of the Combines; and they further state that in controlling combines, they intend that no local independent monopolies shall exist, even if they call themselves Independent.



GERMAN PICTURES SHOWN IN ALBERTA THEATRES

Edmonton, Alta. — Rev. Robert Pearson, Alberta chief censor for motion pictures said that "two or three" pictures produced in Germany had been passed recently for showing in Alberta. None had been turned down, he said.

"They mostly are old plays or historical pictures," he said, "and as far as I could observe there was no propaganda or other material which should not be shown here." He said that the manuscripts are submitted in the English language. He reads these, and then sees the pictures which have German dialogue.

He said he could not recall the names of all the pictures. One, he said, was "Heimot".

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CHARLES A. BOCHNER, Mgr.

"WHITEOAKS" IN REGINA

Regina, Sask. — The touring "Whiteoaks" company, starring Ethel Barrymore and a New York cast, did a one night stand at the Capitol recently to bring Regina its first high-class legitimate drama in a decade. Proof that interest in the stage is not entirely dead on the prairies was the fact that fans were drawn from such distant cities as Saskatoon and Moose Jaw. Bill Novak, manager, had no complaints to make on the performance when more than 1,000 attended, and neither did the audience, although the curtain did not rise until nearly 10.30 o'clock. Following the policy she has adopted for her American and Canadian tour, Miss Barrymore refused to be interviewed.

Independent Chains Monopoly Too, Charges D. of J. Spokesman

By ROBERT LANSING

(Digest Washington Correspondent)

Washington, D.C., May 1—(CPS)

THE Government's relentless campaign directed at the major motion picture producers and their affiliated theatres throughout the country, moved a step forward this week when the Justice Department filed a new anti-trust suit against the picture companies and four theatre chains in Oklahoma.

A petition in equity was filed in District Court for the Western District of Oklahoma charging monopoly and stifling of competition. Defendants are: Griffith Amusement Company, Consolidated Theatres, R. E. Griffith Theatres, Inc., and Westex Theatres, Inc.; all exhibition chains. Majors named include Paramount, M-G-M Distributing Corporation of Texas, Loew's, RKO, Vitagraph, Universal Film Exchange, 20th Century-Fox Film Corporation of Texas and 20th Century-Fox, United Artists and Columbia.

The suit charges all with "unreasonable combination in restraint of trade in the distribution of motion pictures". The suit was instituted as an "essential complement to the pending equity suit in New York", the Department of Justice announced.

Aim of the proceeding is "to divest the major producing companies of ownership and control of the motion picture theatres which exhibit their products," the Government attorneys state. Principal grounds on which the action is based are: (1) Independently owned theatres are being driven out of business, (2) Construction and operation of new theatres is handicapped because any new enterprise is subject to the arbitrary control of a present existing monopoly; (3) new or independent enterprises in the production of pictures handicapped in the same way, because the existing combination substantially controls the most important theatre outlets on a nation-wide scale; (4) Independently owned theatres are so narrowly limited in the choice of films that they cannot by competition and experimentation suit the particular tastes of their communities.

GOVERNMENT GOING AFTER ALL THEATRE CHAINS

THE Department of Justice states that "these objectives cannot be attained so long as there exist chains of theatres exercising monopoly power in various sections of the country, even if the affiliation between such chains and the major companies is broken. If the major producers are deprived of control over local theatres, they must have for themselves a competitive market of truly independent theatres in which to distribute their product. They must not be at the mercy of local monopolies which control the market in particular areas. To leave the chain theatres in control of the market after divestiture by the major companies, would be simply to substitute a number of local monopolies for the national monopoly which is now charged to exist. Such control would be equally disastrous to independent theatre owners. Local monopoly control may be quite as effective in stifling competition as national monopoly control, and at the same time be more disorderly. It would also put the producers, who had divested themselves of their theatres, at the mercy of the local monopoly," the Justice Department adds.

Taken by and large, this would appear to mean that the Government is going after all chains of any size, whether they be producer affiliates or independent chains. There are numerous large independent chains, most of whom have been hailing the Government's efforts to force the producers to dispose of their theatres, but now the situation has changed and apparently they too are to feel the whip of the anti-monopoly crusade.

CIVIL ACTION ASKED

ANNOUNCEMENT of the suit was made by Thurman Arnold, Assistant Attorney General in charge of the Anti-Trust Division, and approved by Attorney General Frank Murphy. The petition asks for civil rather than criminal action as was also done in the New York suit.

The petition asks that the defend-

ants be dissolved, and their properties rearranged under several separate and independent corporations, "in such a manner as to create competitive conditions and prevent further violations of the Sherman Act". It also asks for injunctive relief, directing that the alleged practices which result in monopoly control "and its oppressive exercise" be enjoined. Injunction is also asked restraining defendants from jointly or collectively negotiating contracts with the major distributors for the licensing of feature pictures, and seeks to enjoin producers from seeking to license pictures except "on a local, competitive basis". The Court is asked to grant an injunction against acquisition of additional theatres or financial interest in theatres by defendant claims.

That other chains will face similar charges is made clear by the Department of Justice when it states, "in fairness to the defendants in this particular proceeding, it should be added that there are many other chains of theatres in the United States whose situation is similar." The Department explains the Oklahoma situation was investigated first and is therefore first to face court action.

CHARGE FIRST AND SECOND RUN MONOPOLY

THE complaint specifically charges the defendants with combining to restrain trade and monopolize first and second run exhibition in towns where exhibitor-defendants have theatres. Violation of Sections 1 and 2 of the Sherman Act is charged. The complaint states, "exhibitors have refrained from competing with each other in the acquisition and operation of motion picture theatres in said towns, pursuant to express or implied agreements to allocate said territory between them."

The circuit buying power of the exhibitor-defendants is so great, the Justice Department states, "that its continued existence will tend to subject competing exhibitors in the Griffith towns to other and additional restraints in violation of the Sherman Act, even if the foregoing restraints are enjoined, unless said circuit buying power is eliminated".

The four circuits charged with monopoly operate a total of 149 theatres. Their operation extends into Texas, New Mexico, and Oklahoma.

Theatre Equipment
and
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Coleman Electric Co.
258 Victoria St.
TORONTO, ONT.

EVERYTHING FOR THE THEATRE FROM SHEET TO STREET

"Confessions of a Nazi Spy" Big Box-Office, Opening Engagement, Strand, N.Y.

Shooting The Stars » » At The Studio

Zazu Pitts, popular Hollywood comedienne, has been signed for an important part in the motion picture story of the life of Edith Cavell, soon to go into production at RKO Radio with Anna Neagle in the role of Miss Cavell, and Herbert Wilcox producing and directing . . . Vincent Price, the Prince Albert of "Victoria Regina" on the Broadway stage, has been signed by Warner Bros. to portray 'Sir Walter Raleigh' in "The Knight and the Lady", the Errol Flynn-Bette Davis co-starrer . . . Clark Gable will portray the great Carthaginian general, Hannibal, and Myrna Loy will play Amytis, wife of the Roman Proconsul, in Metro-Goldwyn-Mayer's forthcoming filmization of the Robert Sherwood play, "The Road to Reno", in which Jane Cowl and Philip Merivale starred on Broadway; story has its setting in ancient Rome, with the characters wearing the costumes of the period, but the dialogue strictly modern . . . Alexander Korda will return to the direction of motion pictures on June 1, when the new production, "Sinner", based on Prevost's "Manon Lescaut", goes before the cameras; film will be released through United Artists; casting to be announced soon . . . Roland Young will co-star with Warner Baxter and Binnie Barnes in 20th Century-Fox's "He Married His Wife", soon to go into production under the direction of William Seiter;

film will be produced in the same vein as the highly successful "Wife, Husband and Friend" . . . James Hilton, author of "Goodbye, Mr. Chips", and "Lost Hori-



Robert Montgomery, who leaves shortly for England, where he will star in two pictures to be made at the M-G-M British Studios.

zon", has completed the screen play of "Career Man", for Warner Bros.; Jeffrey Lynn and Ann Sheridan will have the leading roles in the story of diplomacy here and abroad . . . Robert Montgomery will be the next M-G-M star to appear in films at Metro's British Studios; Montgomery will leave shortly for the Old Country where he will star in two pictures, "Busman's Holiday", by Dorothy Sayers, and "The Earl of Chicago", by Brock Williams; Victor Saville will produce . . . John F. Hamilton, who played 'Candy' in the Broadway stage play, "Of Mice and Men", has been signed to a long term contract by RKO Radio; Hamilton is considered one of the most capable stage players in America today . . . romantic lead opposite Cesar Romero in the latest Charlie Chan film, "Charlie Chan at Treasure Island", has been given by 20th Century-Fox to Pauline Moore; Sidney Toler will again portray the Chinese detective . . . among the writers currently busy at work at the Walter Wanger studio are Gene Towne and Graham Baker, completing an original story, as yet untitled, which Tay Garnett will direct this summer; John Meehan is adapting a new adventure film based on Vincent Sheean's "Personal History", and Sarah Y. Mason and Victor Heerman are adapting Myles Connolly's "House Across the Bay".

Trans - Canada Showings

TORONTO

IMPERIAL

2nd week. "Dodge City" (Warners), starring Errol Flynn and Olivia de Havilland.

LOEW'S

"Stagecoach" (Wanger-U.A.), starring Claire Trevor and John Wayne, and "Society Lawyer" (M-G-M), with Walter Pidgeon and Virginia Bruce.

ROYAL ALEXANDRA

"The Life and Loves of Beethoven" (G-N release), starring Harry Baur.

SHEA'S

"The Hound of the Baskervilles" (20th Century-Fox), with Basil Rathbone and Richard Greene. Also stage show.

UPTOWN

2nd week. "The Story of Vernon and Irene Castle" (RKO Radio), starring Fred Astaire and Ginger Rogers.

MONTREAL

CAPITOL

"Dodge City" (Warners), starring Errol Flynn and Olivia de Havilland.

LOEW'S

"The Story of Vernon and Irene Castle" (RKO Radio), starring Fred Astaire and Ginger Rogers.

ORPHEUM

2nd week. "Wuthering Heights" (Goldwyn-U.A.), starring Merle Oberon, Laurence Olivier and David Niven.

PALACE

2nd week. "Three Smart Girls Grow Up" (Universal), starring Deanna Durbin.

PRINCESS

"Adventures of Huckleberry Finn" (M-G-M), starring Mickey Rooney, and "Mr. Wong, Detective" (Monogram), starring Boris Karloff.

SAINT JOHN

CAPITOL

"The Mikado" (Universal release), starring Kenny Baker and the D'Oyly Carte Players.

EMPIRE

"Four Men and a Prayer" (20th Century-Fox), starring Loretta Young and Richard Greene, and "Racing Lady" (RKO Radio), with Ann Dvorak.

MAYFAIR

"Topper Takes a Trip" (Hal Roach-U.A.), starring Constance Bennett and Roland Young, and "A Christmas Carol" (M-G-M), with Reginald Owen.

REGENT

"Too Hot To Handle" (M-G-M), starring Clark Gable and Myrna Loy, and "Girls' School" (Columbia), starring Anne Shirley, Nan Grey and Ralph Bellamy.

STRAND

"Brother Rat" (Warners), starring Priscilla Lane and Wayne Morris, and "Girls on Probation" (Warners), starring Jane Bryan.

WINNIPEG

CAPITOL

"Dodge City" (Warners), starring Errol Flynn and Olivia de Havilland.

GAIETY

"Sweethearts" (M-G-M), starring Jeanette MacDonald and Nelson Eddy.

GARRICK

"Wuthering Heights" (Goldwyn-U.A.), starring Merle Oberon, Laurence Olivier and David Niven.

LYCEUM

"Boy Slaves" (RKO Radio), with Anne Shirley and Alan Baxter, and "Beauty for the Asking" (RKO Radio), starring Lucille Ball.

OSBORNE

"Snow White and the Seven Dwarfs" (Disney-RKO Radio).

CALGARY

CAPITOL

"The Mikado" (Universal release), starring Kenny Baker and the D'Oyly Carte Players.

ISIS

"Cowboy from Brooklyn" (Warners), starring Dick Powell and Priscilla Lane, and "The Kid Comes Back" (Warners), starring Wayne Morris.

PALACE

"They Made Me A Criminal" (Warners) starring John Garfield, and "Comet Over Broadway" (Warners), starring Kay Francis.

PLAZA

"Love Finds Andy Hardy" (M-G-M), starring Lewis Stone, Mickey Rooney, Cecilia Parker and Fay Holden, and "Thank You, Mr. Moto" (20th Century-Fox), starring Peter Lorre.

STRAND

"Cowboy and the Lady" (Goldwyn-U.A.) starring Gary Cooper and Merle Oberon, and "Personal Secretary" (Universal), with William Gargan.

VANCOUVER

CAPITOL

"Dark Victory" (Warners), starring Bette Davis, with George Brent.

DUNBAR

"Drums" (London Films-U.A.), starring Sabu and Raymond Massey, and "The Devil's Party" (Universal), starring Victor McLaglen.

MUSIC BOX

"Suez" (20th Century-Fox), starring Tyrone Power, Loretta Young and Annabella, and "Down on the Farm" (20th Century-Fox), starring the Jones Family.

RIO

"The Count of Monte Cristo" (U.A. re-issue), starring Robert Donat, and "Man from Music Mountain" (Republic), starring Gene Autry.

PLAZA

"Wuthering Heights" (Goldwyn-U.A.), starring Merle Oberon, Laurence Olivier and David Niven.